

# **REPORT OF THE COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS**

## **Voting Members**

Ron Menor, Chair; Carol Fukunaga, Vice-Chair,  
Ikaika Anderson, Brandon J.C. Elefante, Ann H. Kobayashi,  
Joey Manahan, Kymberly Marcos Pine, Heidi Tsuneyoshi, Tommy Waters

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Committee Meeting Held  
June 16, 2020

Honorable Ikaika Anderson  
Chair, City Council  
City and County of Honolulu

Mr. Chair:

Your Committee on Executive Matters and Legal Affairs, which considered Resolution 19-329 entitled:

"RESOLUTION INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973 (2017 EDITION), AS AMENDED, RELATING TO THE CREATION OF A YOUTH COMMISSION,"

introduced on December 13, 2019, which passed Second Reading and Public Hearing held at the Council's meeting of May 6, 2020, reports as follows:

The purpose of Resolution 19-329 is to initiate amendments to the Revised Charter of the City and County of Honolulu 1973 (2017 Edition), as amended, relating to the creation of a Youth Commission.

Your Committee has prepared a CD1 version of the Resolution that makes the following amendments:

- A. Amends subsection 1 of the new section by:
  - 1. Requiring members who have attained the age of majority at the time of appointment to comply with the voter registration provision of Section 13-103.1(a), and

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**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON **JUL 8 2020**

COMMITTEE REPORT NO. **142**

# REPORT OF THE COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS

## Voting Members

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2. Exempting any member who has not attained the age of majority at the time of appointment from filing financial disclosures required by ordinance until attaining the age of majority, the relevant portion of the subsection 1 to read as follows:

### Section 6- .Youth Commission –

1. There shall be a youth commission consisting of fifteen members, each of whom shall be between the ages of fourteen to twenty-four years at the time of appointment and shall serve for staggered terms of two years. The commission and its members shall not be subject to Section 13-103; provided that members who have attained the age of majority at the time of appointment must be duly registered voters of the city. Any member who has not attained the age of majority at the time of appointment shall be exempt from filing any financial disclosures required by ordinance until attaining the age of majority. . . .

- B. Makes miscellaneous technical and nonsubstantive amendments.

At your Committee's meeting, one individual testified in support of the Resolution, three individuals testified remotely in support, and one individual called to testify in support of the Resolution.

Written testimony in support was received from 14 individuals and one individual offered comments. Hawaii Youth Climate Coalition, Young Progressives Demanding Action, Blue Zones Project, 350Hawaii.org, Kamehameha Schools, Sierra Club O'ahu Group, Hawaii Public Health Institute, and Hawaii Afterschool Alliance testified in support of the Resolution.

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CITY AND COUNTY OF HONOLULU  
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Your Committee on Executive Matters and Legal Affairs is in accord with the intent and purpose of Resolution 19-329, as amended herein, and recommends it pass Third Reading in the form attached hereto as Resolution 19-329, CD1. (Ayes: Anderson, Elefante, Fukunaga, Kobayashi, Menor, Tsuneyoshi, Waters – 7; Noes: None; Excused: Manahan, Pine – 2.)

Respectfully submitted,

  
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Committee Chair

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**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON JUL 8 2020

COMMITTEE REPORT NO. 142



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 19-329, CD1

## RESOLUTION

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INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973 (2017 EDITION), AS AMENDED, RELATING TO THE CREATION OF A YOUTH COMMISSION.

WHEREAS, according to the Hawaii State Legislature ("Legislature"), Hawaii has the lowest youth voter participation rate in the United States; and

WHEREAS, the Legislature found that in 2008, the voter participation rate among 18- to 29-year-olds in Hawaii was 31 percent; and

WHEREAS, in addition, many youth are not yet eligible to vote and are denied a formal role in the political process; and

WHEREAS, many of the most pressing issues in the City and County of Honolulu ("City"), such as affordable housing and public transportation, have direct impacts on island youth; and

WHEREAS, in 2018, the Legislature stated that increasing youth participation in the public policymaking process was a vital state interest and created a youth commission to advise the Governor and the Legislature on the effects of legislative policies, needs, assessments, priorities, programs, and budgets concerning Hawaii youth; and

WHEREAS, Millennials (persons born between 1981 and 1996) and members of Generation Z (persons born after 1996) have taken a keen interest in activism on a wide array of issues, including the environment, tobacco control, and ensuring that Hawaii remains a desirable place to live; and

WHEREAS, City Council ("Council") Bill 40 (2019), which would ban the sale of styrofoam products and certain single use plastic products in the City, drew notable support from members of Generation Z, including a number of high school students, in hearings before the Council and its committees; and

WHEREAS, Council Bill 51 (2019), which would establish a "Keep Hawaii Hawaii – Promise to Our Keiki Pledge" for visitors to the City, also drew notable support from members of Generation Z, including a number of elementary or intermediate school-aged students who produced videos in support of the bill; and

WHEREAS, the City Council ("Council") further believes that creating a City youth commission to advise the Council and Mayor on issues relating to children and



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youth would give youth a greater role in the policymaking process, develop future leaders, and help the City develop public policy that addresses the concerns and needs of all City residents; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu:

1. That the following question be placed on the 2020 General Election ballot:

"Shall the Revised City Charter be amended to establish a Youth Commission under the Managing Director?"

2. That Article VI, Chapter 1, Revised Charter of the City and County of Honolulu 1973 (2017 Edition) ("Managing Director"), be amended by adding a new section to be appropriately numbered by the Revisor of the Charter and to read as follows:

**"Section 6- Youth Commission –**

1. There shall be a youth commission consisting of fifteen members, each of whom shall be between the ages of fourteen to twenty-four years at the time of appointment and shall serve for staggered terms of two years. The commission and its members shall not be subject to Section 13-103, provided that members who have attained the age of majority at the time of appointment must be duly registered voters of the city. Any member who has not attained the age of majority at the time of appointment shall be exempt from filing any financial disclosures required by ordinance until attaining the age of majority. Each councilmember shall appoint one member and the mayor shall appoint six members. The initial appointments shall commence no later than August 1, 2021, and shall be as follows:

- (a) One year term: Eight members, three appointed by the mayor and one each appointed by the councilmembers representing districts 1, 3, 5, 7, and 9.
- (b) Two year term: Seven members, three appointed by the mayor and one each appointed by the councilmembers representing districts 2, 4, 6, and 8.

Each succeeding appointment shall be for a term ending two years from the date of the expiration of each term for which the predecessor had been appointed. The commission shall annually elect a chair from among its members and the



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commission shall act by a majority vote of its membership. Any vacancy shall be filled in the same manner as for an original appointment.

2. The commission shall advise the council and mayor on the effects of policies, needs, assessments, priorities, programs, and budgets concerning the children and youth of the city. The commission shall also express the policy priorities of the children and youth of the city. The commission shall respond to requests for comment and recommendation on matters referred to the commission by the council, the mayor, and any officers, agencies including semi-autonomous agencies, and executive and legislative branch advisory committees of the city.

3. The commission shall establish its rules of procedure and adopt rules pursuant to law. The council may enact ordinances, not inconsistent with this section, affecting the commission.

4. The commission may employ staff as is necessary to assist it in the performance of its duties."

3. That in Section 2, new Charter material is underscored. When revising, compiling, or printing these Charter provisions for inclusion in the Revised Charter of the City and County of Honolulu 1973 (2017 Edition), the Revisor of the Charter need not include the underscoring.
4. That if these Charter provisions are amended by any other Charter amendment approved by the electors in the 2020 general election, the Revisor of the Charter, in revising, compiling, or printing the Charter:
  - a. May designate or redesignate articles, chapters, sections, or parts of sections, and rearrange references thereto;
  - b. Shall, except as otherwise expressly provided in this resolution or in the other resolution(s) amending these Charter provisions, give effect, to the extent possible, to all of the amendments approved; and
  - c. May change capitalization or the forms of numbers and monetary sums for the sake of uniformity.
5. That upon adoption of this resolution by the Council, the City Clerk be and is hereby directed:



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HONOLULU, HAWAII

No. 19-329, CD1

## RESOLUTION

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- a. To prepare the necessary ballots with the question contained in this resolution and with spaces for "yes" and "no" votes on the question for presentation to the electors at the 2020 general election. The City Clerk may make technical and nonsubstantive changes to the form of the question presented in order to conform it to the form of other Charter amendment questions presented to the electors at the same election; and
- b. To publish the above-proposed Charter amendments at length in a daily newspaper of general circulation in the City and County of Honolulu at least 45 days prior to their submission to the electors at the 2020 general election.



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6. That upon approval of the Charter amendment question posed in this resolution by a majority of the electors voting thereon, as duly certified, the Charter amendments proposed in this resolution shall take effect on January 2, 2021.

INTRODUCED BY:

Tommy Waters

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DATE OF INTRODUCTION:

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\_\_\_\_\_

December 13, 2019

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Honolulu, Hawaii

Councilmembers